



TOWN OF AMENIA

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TOWN OF AMENIA PLANNING BOARD

Resolution # 1 for 2022

January 12, 2022

RECEIVED

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Amenia Town Clerk

Resolution Approving Minor Subdivision/Lot Line Adjustment for the Wassaic Fire Company

WHEREAS, Wassaic Fire Company (the "Applicant"), the owner of 1.391± acres of land located at 27 Firehouse Road, Wassaic, New York (Parcel Grid Identification Numbers: 132000-7165-01-093923 and 132000-7165-01-083916) and Joshua N. Frankel and Eve Biddle ("Frankel/Biddle"), the owners of 15.883± acres of land located at 315 Old Route 22, Wassaic, New York (Parcel Grid Identification Number: 132000-7165-00-074001) (collectively, "Owners") propose a minor subdivision/lot line adjustment to convey 1.631± acres from the Frankel/Biddle parcel to the Applicant and to consolidate the added land and the Applicant's two parcels into one, new tax parcel comprising 3.022± acres (the "Project"). The Applicant further proposes a 3,600 square foot addition to the existing firehouse on its property and related site improvements; and

WHEREAS, the Applicant's parcels are located in the Hamlet Mixed Use Zoning District and the Frankel/Biddle parcel is in the Hamlet Residential Zoning District. The Applicant's parcels and the lands to be conveyed to the Applicant by Frankel/Biddle are located in the Flood Plain Overlay District, the Historic Preservation Overlay District, the Hamlet Exclusion Area of the Stream Corridor Overlay District and the Scenic Visual Protection Zone. Except for a small portion, the lands involved in the Project fall within an Area of Special Flood Hazard (one-hundred-year flood plain, Zone AE, with base flood elevation defined); and

WHEREAS, the Project further includes a proposed easement through the Applicant's property to the Frankel/Biddle property for ingress/egress purposes; and

WHEREAS, pursuant to Chapter 105 of the Town of Amenia Town Code (the "Subdivision Law") the Applicant submitted an application to the Town of Amenia Planning Board ("Planning Board") for approval of the Project as a minor subdivision/lot line adjustment consisting of: (1) a Land Use Application; (2) a SEQRA Short Environmental Assessment Form ("SEAF"), Part 1; (3) a detailed subdivision plan prepared by Bambi Terrell Meunier, L.S.; (4) the requisite filing fee and escrow amount for the application; and (5) a variety of additional documentation (collectively, the "Application"); and

WHEREAS, the Applicant has also applied to the Planning Board for site plan approval of the proposed addition to the existing firehouse and related site improvements, including a new

septic system and stormwater management facilities, and has provided information in the SEAF, Part 1, along with other supporting information, to allow for Planning Board review of the proposed development activities and the Project as one “action” for SEQRA purposes; and

WHEREAS, after reviewing the Application, Part 1 of the SEAF, and the information submitted in support of the proposed firehouse addition and site improvements. the Planning Board determined that the Project is a Type 2 action under SEQRA because it involves a lot line adjustment and a less than 4,000 square foot expansion of an existing nonresidential structure pursuant to 6 NYCRR §§ 617.5(c)(9) and (16), respectively. Accordingly, no further SEQRA review of the Project is required by the Planning Board; and

WHEREAS, on January 12, 2022 the Planning Board held a public hearing on the Application to receive and consider any public comment on the proposed minor subdivision/lot line adjustment and closed the public hearing after providing that opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 105-11 and Appendices B and C of the Subdivision Law, the Planning Board hereby approves, with conditions, the minor subdivision/lot line adjustment plat for the Project entitled “Proposed Lot Line Adjustment prepared for the Wassaic Fire Company” by Bambi Terrell Meunier, L.S, dated July 13, 2021 (last revised November 1, 2021); and

BE IT FURTHER RESOLVED, that upon the satisfaction of the following conditions, the Planning Board Chairperson is hereby authorized to stamp and endorse the minor subdivision/lot line adjustment plat for the Applicant (the “Approved Final Plat”):

1. The plat shall be endorsed by the Dutchess County Department of Health as satisfying all the standards of the State Sanitary Code and all related laws; and
2. The plat shall bear the authorized signatures of the Owners; and
3. The plat shall be signed by Bambi Terrell Meunier, L.S. as the preparer of the survey for the Project; and
4. An updated plat showing the location of the relocated access easement shall be provided to the Planning Board; and
5. The form of the proposed access easement, as shown on the plat, shall be acceptable to the Planning Board Attorney; and
6. As required by the Subdivision Law, the Applicant shall pay any outstanding invoices of the Planning Board’s consultants incurred in connection with reviewing and processing the Application for the Project; and

BE IT FURTHER RESOLVED, pursuant to Section 105-5 of the Subdivision Code, the conveyance to effectuate the approved minor subdivision/lot line adjustment shall proceed only after the Approved Final Plat has been recorded; and

BE IT FURTHER RESOLVED, that pursuant to the Subdivision Law, within five (5) business days from this resolution, copies of the minor subdivision/lot line adjustment plat shall be so certified by the Town of Amenia Code Enforcement Officer as being conditionally approved, a copy filed with the Planning Board and a certified copy mailed to the Applicant

which shall include a statement of such requirements which, when completed, will authorize the signing of the conditionally approved plat; and

BE IT FURTHER RESOLVED, that pursuant to Section 105-13(F)(3) of the Subdivision Law, this conditional approval of the plat shall expire within 180 days after this resolution unless all the conditions precedent to the execution of the plat have been certified as being complete. The Planning Board may extend the time in which the approved plat must be submitted for signature by periods of 90 days each if the Planning Board determines, in its sole discretion, that such extension is warranted by the particular circumstances. Conditional approval of the plat shall automatically terminate and be revoked without need for affirmative Planning Board action if all requirements for execution of the plat have not been certified as complete within 180 days of the original approval plus any subsequent extension; and

BE IT FURTHER RESOLVED, that pursuant to Section 105-13(F)(1) of the Subdivision Law and NYS Town Law Sections 276 and 279, the Applicant shall record the final plats with the Dutchess County Clerk's Office within 62 days after the signing of the plat by the Planning Board Chairperson and pay all applicable recording fees for said plat. The Applicant shall promptly provide proof of recording to the Planning Board; and

BE IT FURTHER RESOLVED, that in the event the plat is not recorded in the Dutchess County Clerk's Office within 62 days after its execution, the plat shall expire and any further action shall require the submission of a new application, payment of a new application fee and Planning Board review of all previous findings; and

BE IT FURTHER RESOLVED, in accordance with Subdivision Law Section 105-13(E), no changes, erasures, modifications or revisions shall be made on any final plat after approval has been given by the Planning Board and signed by the Planning Board Chairperson. In the event that any plat, when recorded, contains any such changes, the plat shall be considered null and void, and the Planning Board shall institute proceedings to have said plat stricken from the records of the Dutchess County Clerk's Office and the Town Clerk's Office; and

BE IT FURTHER RESOLVED, that if any condition or part of this approval resolution is annulled by a court of competent jurisdiction, the remainder of this approval resolution shall remain in full force and effect; and

BE IT FURTHER RESOLVED, that within five (5) days of the date of this resolution, a copy of this resolution shall be filed in the office of the Town of Amenia Town Clerk, and a copy of this resolution shall be mailed to the Applicant within the same five (5) day period; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

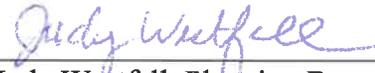
Motion By: T. Robustelli

Second By: Walter Brett

The foregoing resolution was voted upon with all members of the Planning Board voting as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Jr. Chairperson	X _____	_____	_____	_____
John Stefanopoulos	X _____	_____	_____	_____
Walter Brett	X _____	_____	_____	_____
Neal Kusnetz	X _____	_____	_____	_____
Matthew Deister	X _____	_____	_____	_____
Nina Peek	_____	_____	xxxxxx	_____
Anthony Robustelli	x _____	_____	_____	_____

Dated: January 12, 2022
Amenia, New York



Judy Westfall, Planning Board Clerk